

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
WACO DIVISION**

SOLAS OLED LTD.,

Plaintiff,

v.

APPLE INC.,

Defendant.

Civil No. 6:19-CV-00537

JURY TRIAL DEMANDED

**DECLARATION OF MARK ROLLINS IN SUPPORT OF DEFENDANT  
APPLE INC.'S MOTION TO TRANSFER VENUE UNDER 28 U.S.C. § 1404(a)**

I, Mark Rollins, hereby declare and state as follows:

1. I am over 18 years of age and competent to make this declaration. If called to testify as a witness in this matter, I could and would testify truthfully to each of the statements in this declaration.

2. I am employed as a Finance Manager at Apple Inc. ("Apple") in Sunnyvale, California. I have been employed by Apple since 2019.

3. I provide this declaration in support of Apple's Motion to Transfer Venue Under 28 U.S.C. § 1404(a) to the Northern District of California ("NDCA") filed in the above-captioned case. Unless otherwise indicated below, the statements in this declaration are based upon my personal knowledge, my review of corporate records maintained by Apple in the ordinary course of business, and/or my discussions with Apple employees. If called to testify as a witness, I could and would competently do so under oath.

4. I understand that the NDCA includes Alameda, Contra Costa, Del Norte, Humboldt, Lake County, Marin, Mendocino, Monterey, Napa, San Benito, San Francisco, San Mateo, Santa Clara, Santa Cruz, and Sonoma counties.

5. Apple is a California corporation and was founded in 1976. Apple is a global business headquartered in Cupertino, California.

6. Apple's management and primary research and development, and marketing facilities are located in or near Santa Clara Valley of California, including cities such as Cupertino and Sunnyvale. The primary operation, marketing, sales, and finance decisions for Apple also occur in or near Cupertino, and Apple business records related to product revenue are located there. As of January 2020, Apple has more than 35,000 employees who work in or near its Cupertino headquarters.

7. I understand that Solas OLED Ltd. ("Solas") filed the above-captioned patent infringement lawsuit against Apple in the United States District Court for the Western District of Texas ("WDTX"). I understand that in its Complaint, Solas identified certain Apple products "with organic light-emitting diode ('OLED') displays" (the "Accused Technology"). Complaint ¶ 6.

8. I understand that in its Complaint, Solas identified the following list of accused products: iPhone, Apple Watch, and MacBook Pro. Complaint ¶ 6. I also understand that in its Preliminary Infringement Contentions, Solas identified a more specific list of accused products: "MacBook Pro with OLED Touch Bar," "iPhone X," "iPhone Xs," "iPhone Xs Max," "iPhone 11 Pro," "iPhone 11 Pro Max," "Apple Watch," "Apple Watch Series 1," "Apple Watch Series 2," "Apple Watch Series 3," "Apple Watch Series 4," and "Apple Watch Series 5" (collectively referred to as "Accused Products"). Disclosure of Preliminary Infringement Contentions § 1.B.

9. Based on my review of the Declaration of Shihchang Chang (Senior Director in the Panel, Process, and Optics (PPO) Thin-Film Transistor (TFT) group at Apple) submitted in support of Apple's Motion to Transfer, I understand that the Accused Products contain OLED displays supplied by Tianma Micro-electronics Co. (China), Samsung Display Co., Ltd. (Korea), LG Display (Korea), and Japan Display (Japan).

10. I understand from the Complaint that Solas alleges that the Accused Products infringe U.S. Patent No. 6,072,450 ("the '450 patent"), U.S. Patent No. 7,446,338 ("the '338 patent"), and 7,573,068 ("the '068 patent").

11. To the extent Apple sells or has sold the Accused Products in the United States, the Accused Products are or were sold in a similar manner nationwide.

12. Apple employees with knowledge of the marketing, licensing and sales of the Accused Products work in or near Santa Clara Valley. Electronic and paper records of their work, along with Apple business records related to product and service revenue, are located in or near Santa Clara Valley.

13. As of the date of this declaration, Apple operates over 270 retail stores in the United States, more than 50 of which are in California, including 19 stores in the NDCA.

14. Apple has two retail stores in Austin, two retail stores in San Antonio, and one retail store in El Paso, located in the WDTX. I am not aware of any retail employee in these retail stores who was ever involved in the research, design, development, or marketing of the Accused Technology.

15. Apple has non-retail offices in Austin and Lockhart, Texas (located in the WDTX) and Dallas and Garland, Texas (located in the Northern District of Texas). To the best

of my knowledge, however, Apple employees with relevant information relating to the Accused Technology for marketing, licensing, and financials are located in the NDCA.

16. The Apple employees whom Apple expects will be willing witnesses and who have knowledge relevant to marketing, licensing or financials are myself, Thomas Boger, Francesca Sweet, Eric Jue, and Leo Merken. Mr. Boger, Ms. Sweet, Mr. Jue, Mr. Merken, and I all work in or near Santa Clara Valley.

17. Thomas Boger (Senior Manager of Product Marketing for Mac and iPad) has knowledge of how and in what instances Apple has marketed the Accused Technology in the accused MacBook Pro products. Mr. Boger and his team members are located in the NDCA. None are located in Texas.

18. Francesca Sweet (Manager, Worldwide iPhone Product Marketing) has knowledge of how and in what instances Apple has marketed the Accused Technology in the accused iPhone products. Ms. Sweet and her team members are located in the NDCA. None are located in Texas.

19. Eric Jue (Product Line Manager for Apple Watch) has knowledge of how and in what instances Apple has marketed the Accused Technology in the accused Apple Watch products. Mr. Jue and his team members are located in the NDCA. None are located in Texas.

20. Leo Merken (Senior Counsel of Products Law Group) is knowledgeable about licensing of intellectual property, including patent rights, by and to Apple.

21. I am knowledgeable about Apple's sales and financial information concerning the Accused Products. Sales and financial documents for the Accused Products are located near Santa Clara Valley. I work and live in Santa Clara Valley.



I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and that this declaration was executed this 21<sup>st</sup> day of January 2020, in Sunnyvale, California.



Mark Rollins